

REMARKS

Applicant thanks the Examiner for the Office Action dated April 7, 2005 and mailed April 20, 2005. In that Office Action, the Examiner withdrew Claims 18-20 from consideration. The Examiner objected to the Drawings as not showing every feature of the inventions specified in the claims. The Examiner further objected to the Abstract for using the term “preferably.” Furthermore, the Examiner rejected Claims 1-20 under 35 U.S.C. 112, first paragraph as failing to comply with the enablement requirement. The Examiner also objected to Claims 1-17 as being anticipated by U.S. Patent No. 5,549,273 issued to Aharon (“Aharon”). Alternatively, the Examiner rejected Claims 1-6, 8-13, and 16 as being anticipated by U.S. Patent No. 4,995,585 (“Gruber”). Finally, the Examiner rejected Claims 7 and 15 as being unpatentable over Gruber et al. in view of U.S. Patent No. 4,788,998 (“Pepper”).

In this response, Applicant has amended the Specification and Claims. Applicant submits that every feature of the invention specified in the claims is now present in the drawings. Applicant further respectfully submits that the Claims as amended are allowable. Applicant respectfully requests that the objections and rejections to the present application be withdrawn and the application be allowed.

In the Drawings

The Examiner objected to the drawings as not showing the electronic detent and diaphragm coupled to a pilot. Applicant has amended the claims. Applicant respectfully submits that the drawings contain every element of the amended claims. No new matter has been added.

Applicant respectfully requests that the Examiner withdraw the objections to the drawings.

In the Specification

The Examiner objected to the Specification because the Abstract contained the term “preferably.” Applicant has amended the Abstract to remove this term. Applicant respectfully requests that the Examiner withdraw the objection.

Applicant has also amended several paragraphs in the specification. No new matter has been added.

In the Claims

35 USC § 112

The Examiner rejected Claims 1-20 under 35 U.S.C. § 112, as failing to comply with the enablement requirement. More specifically, the Examiner stated that an electric detent coupled to the override control is not described well enough to enable someone to make or use the invention.

Applicant has canceled Claims 4, 12, and 18-20. Applicant has amended 1 and 9. As a result, Claims 1-3, 5-11, and 13-17 no longer claim an “electronic detent.” Applicant requests that the Examiner withdraw the 35 USC § 112 rejection of Claims 1-3, 5-11, and 13-17.

Furthermore, Applicant has amended Claims 2, 3, 5, 7, 8, and 13 to improve clarity of these claims and not for reasons related to patentability.

35 USC § 102

The Examiner rejected Claims 1-17 under 35 USC § 102(b) as being anticipated by Aharon. More specifically, the Examiner stated that Aharon discloses a proximity sensor, a pilot valve assembly that dispenses fluids when an activation signal is received from the sensor; an override control coupled to the pilot valve assembly, the override control being configured to allow fluid to flow continuously beyond a predetermined period of time, and an electronic detent configures to lock and unlock a pilot within the pilot valve assembly. The Examiner further stated that Aharon discloses that the pilot valve assembly has a DC motor, a cam, and a gear train, as well as a diaphragm coupled to the pilot, a mixing valve, a P-shaped cam follower. Finally, the Examiner stated that the pilot valve assembly has a spur gear having a stem the limits the travel of the pilot.

Alternatively, the Examiner rejected Claims 1-6, 8-13 and 16 as being anticipated by U.S. Gruber. The Examiner stated that Gruber discloses a proximity sensor, a pilot valve assembly, an override control, and an electric detent. The Examiner also asserted that Gruber discloses a DC motor, a cam, a gear train, and a diaphragm.

Applicant has amended Claims 1 and 9. Applicant submits that neither Aharon nor Gruber disclose the override system as claimed in the present application. More specifically, neither Aharon nor Gruber discloses an arm as required in amended Claims 1 and 9. Furthermore, Aharon and Gruber fail to disclose an override control connected to the arm. Applicant respectfully submits that Aharon or Gruber do not anticipate Claims 1-3, 5-11, and 13-17 of the pending application. As

a result, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. §102 rejections under both Aharon and Gruber.

35 USC § 103

Finally, the Examiner rejected Claims 7 and 15 as being unpatentable over Gruber in view of U.S. Patent No. 4,788,998 ("Pepper"). More specifically, the Examiner stated that Gruber lacks a mixing valve coupled to the pilot valve assembly. The Examiner then stated that Pepper discloses a mixing valve and that it would be obvious to one having skill in the art at the time the invention was made to add a mixing valve to the Gruber valve.

Additionally, the Examiner rejected Claim 14 as being unpatentable over Gruber in view of Aharon. The Examiner stated that it would have been obvious to make the cam follower of Gruber P-shaped as disclosed by Aharon.

As noted above, Applicant has amended Claims 1, and 9, upon which Claims 7, 14 and 15 are dependent. As a result, Claim 7 contains every limitation of Claim 1, and Claims 14 and 15 contain every limitation of Claim 9. Gruber, Pepper and Aharon do not disclose an arm as required by either Claim 1 or 9. Nor do Gruber, Pepper, or Aharon disclose an override control connected to the arm. Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 103 rejections of Claims 7, 14, and 15.

SUMMARY

Applicant has amended the specification and Claims 1-3, 5, 7-9, and 13. Furthermore, Applicant has cancelled Claims 4 and 12. In view of these amendments, Applicant respectfully requests the Examiner withdraw the objections and rejections of the present application, and grant allowance of Claims 1-3, 5-11, and 13-17. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam D. Airhart', is written over a horizontal line.

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